

## PETITION TO ACCEPT COMMENTS AS TIMELY FILED

I own and operate two small low power television stations, KMAH-LP and KPAH-LP , in Wyoming, and in order to save expenses, I filed comments electronically in MM Docket 00-10 (Class A LPTV) myself without assistance from my Washington attorney.

I carefully followed your web site instructions, and obtained the list of "tags", which were headings that needed to go with the e-mailed comments. I answered each "tag" the best I could, and when I e-mailed all of this (which included my comments), I also followed your web site advice to copy Bill Cline on these comments, just in case something went wrong.

Well, something did go wrong. Apparently your computer didn't like two of my responses to two of the "tags", and my comments were rejected. Bill Cline did receive the copy, but when asked, he advised me that he could not accept them, since I did the "official" comments incorrectly. He pointed out that there were other ways which I could have used to file my comments.

Well, had I known that filing them the way I did would not have worked for me, I certainly would have filed them another way. But, it is too late to do that now. I filed them on time and in good faith, and felt that by supplying a copy to Bill Cline, should there be a technical glitch with my electronic filing, then at least Bill Cline would have received the comments on time, which he did.

Thus, I respectfully request that my comments in this matter, which I am hereby re-submitting, be accepted as "timely filed".

Respectfully submitted,

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Licensee: KMAH-LP and KPAH-LP

COMMENTS ON CLASS A LOW POWER TV (MM DOCKET 00-10)  
FILED BY ROBERT R. RULE, D.B.A. RULE COMMUNICATIONS  
LICENSEE OF KMAH-LP IN CHEYENNE, WYOMING  
AND KPAH-LP IN LARAMIE, WYOMING

I own and operate a very small "mom and pop" business, Rule Communications. I am licensee of two low power TV stations, KMAH-LP and KPAH-LP, and as the call letters imply, this is "Ma and Pa" television. I provide television programming to southeast Wyoming which the "big boys" would never think of providing. I am filing these comments to explain to the FCC the position of "the little guy" when it comes to television broadcasting.

We've all seen a trend in America where "the big boys" are taking over everything from the manufacturing of laundry soap to the operation of our local radio stations. The "little guy" is being squeezed out of business, and the result is that the general public is now receiving a homogenized set of products and services from the national corporations, in a "one size fits all" manner. When it comes to laundry soap, this isn't all that bad. You get a better product at a lower price. But, when it comes to broadcasting, it generally means "say bye-bye to local programming".

Fortunately, the FCC is taking the right step in assuring that local communities will be able to receive locally produced programs, covering everything from the town council meetings to videos produced by a local Boy Scout troop. Low Power TV already has a track record of providing the local programming that the big network affiliates won't touch, and indeed, providing for permanent, "Class A", status, is a step in the right direction. It will prevent the heavy investment made by the small "mom and pop" operators from going down the drain by losing their TV channel at a future date through no fault of their own. But, let's not make some serious mistakes along the way, and lose this opportunity to assure American communities of the local programming that they so much desire and deserve. Let's look at these areas where things could be done incorrectly:

A. By "local programming", this needs to be clearly defined as programming created in the local area. Just being "locally inserted" doesn't make the PROGRAMMING itself local. If we aren't careful here, the "big boys"

will take over Class A TV, and turn it into another network of nationally controlled stations. And, by "local programming", we should not restrict it to being produced within the city grade contour of the Class A TV station. In many cases, Low Power TV doesn't even place a city grade contour over the city being served. People who want to receive the programming often put up big outdoor antennas with pre-amps, just to pick up the programming. So, please keep in mind that the city itself can be well outside the city grade contour, and it would be a shame to require the Class A station owners to hike to their mountaintop equipment shelter in the snow just to be able to produce their local programs within a given contour of coverage. Yet, the requirements need to be rigid enough so that a California studio isn't producing "local" programs for Wyoming Class A TV stations.

B. Let's next keep in mind that these small "mom and pop" Class A stations simply do not have the budgets of the big boys, and can't provide for all of the fancy test equipment and video processing equipment to make their transmissions look like a high powered TV station. The public really doesn't mind if the weekly video produced by the Boy Scouts of their recent activities is a bit blurred. The fact is, it is local, and most likely the only opportunity that the local community will have to see in-depth reporting on local events in their community. If the Class A TV stations are required to spend tens of thousands of dollars to produce a "big station" TV picture, they simply will not be able to operate, and the public will be denied this important form of local TV service.

C. Remember the days before Cable TV? I do. I'm 54 years old, and once watched Howdy Doody on a 12 inch round Zenith when I was a kid. But, what about those who lived in places like, say, Casper, Wyoming? Back then, they received ZERO television. Then came Cable TV. The job of the Cable TV company was to pick up the distant signals, and transport them to a city like Casper, so that for the first time, the residents of Casper could watch televisions. But, then the Cable TV industry figured something out: They could produce their own network programming, and sell their own advertising. All of a sudden, the very television stations which put the Cable TV industry into business became "The Competition". The last thing in the world that a Cable TV company wants to do

today is to carry more "over-the-air" TV stations, which will cut into their advertising base. But.. wait a minute!! We low power TV broadcasters don't really need the Cable TV company to deliver our signal. We are "right there, over the air" as the saying goes. But, let's look at the real world. The "average bear" has a TV set with only one input. He can climb behind the TV set and hook up his Cable TV connection, or he can hook up a TV antenna, but NOT BOTH. Most people are scared to death to climb behind their TV sets and fiddle with any of the connections once they get things working. Most of them can't even hook up a VCR by themselves, let alone set the time on its clock. So, once a viewer is hooked to Cable TV, it's "bye-bye over-the-air TV". To make matters worse, I have heard many stories of Cable TV installers in Wyoming actually going up on the roof and cutting the coaxial cable going to the rooftop TV antenna, just to make sure the homeowner doesn't ever hook that TV antenna up again.

So, there is one more thing needed in order for Class A television to bring local programming into the homes of Americans: Viewers need a way to physically pick it up. If "must carry" isn't the answer, then perhaps the answer should be that TV set manufacturers be required to provide new TV sets with a "built-in A-B switch" to where it becomes extremely easy, even from the remote control, to switch between cable channels and antenna channels. Including a "built-in" antenna, which can optionally be replaced by an outdoor antenna, is even better yet. Remember the days when UHF television came out? It wasn't until it became a REQUIREMENT that UHF channels be included in TV sets (and later that they must be just as easy to tune as the VHF channels) that UHF TV became useable. The same thing is true of low power TV: It doesn't do the public a lot of good to have this service, if the "big boys" who run the Cable TV companies and who manufacture the TV sets make darn sure that almost no one will be able to tune in to a local "over-the-air" low power "mom and pop" TV station.

D. Let's also keep in mind that it could take a small "mom and pop" operation a couple of years or more to save up the money and to obtain the financing to upgrade to "Class A" facilities. Therefore, please don't require us little folk to have to commit to upgrading to "Class A" within a few months of your final Order. We may need a few years to make this decision.

Well, these are my comments. Please excuse my informal nature of writing, but I felt it would be helpful for you to see it like it is out here in Ol' Wyoming.

Respectfully Submitted,

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